

DECLARATION

As a ^{U.S.} below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPOSITIONS AND METHODS FOR DELIVERY OF SHORT INTERFERING RNA
AND SHORT HAIRPIN RNA**

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

____ is attached hereto.

X was filed on September 29, 2003 as Application Serial No.10/674,087 and amended on (if applicable).

____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

| NUMBER | COUNTRY | FILING DATE | PRIORITY CLAIMED | |
|--------|---------|-------------|------------------|----|
| | | | YES | NO |
| | | | | |
| | | | | |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION NUMBER | FILING DATE | STATUS |
|--------------------|-------------|--------|
| | | |

PCT Applications designating the United States:

| PCT APPLICATION NUMBER | FILING DATE | STATUS |
|------------------------|--------------------|---------|
| US03/30508 | SEPTEMBER 29, 2003 | PENDING |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

| APPLICATION NUMBER | FILING DATE | STATUS |
|--------------------|--------------------|---------|
| 60/414,457 | September 28, 2002 | Expired |
| 60/446,377 | February 10, 2003 | Expired |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of inventor Jianzhu Chen

Inventor's Signature J. Chen Date 5/14/04

Residence 17 Stearns Road, Apt. #6, Brookline, MA 02456

Citizenship U.S.A.

Post Office Address Same as above

Full name of inventor Herman N. Eisen

Inventor's Signature Herman N. Eisen Date 5/14/04

Residence 9 Homestead Street, Waban, MA 02468

Citizenship U.S.A.

Post Office Address Same as above

Full name of inventor Qing Ge

Inventor's Signature _____ Date _____

Residence 55 Harvey Street, Apt. 1 R, Cambridge, MA 02140

Citizenship People's Republic of China

Post Office Address Same as above



Attorney Docket No.: 0492611-0507

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

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| NUMBER | COUNTRY | FILING DATE | PRIORITY CLAIMED | |
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Full name of inventor Jianzhu Chen

Inventor's Signature _____ Date _____

Residence 17 Stearns Road, Apt. #6, Brookline, MA 02456

Citizenship U.S.A.

Post Office Address Same as above

Full name of inventor Herman N. Eisen

Inventor's Signature _____ Date _____

Residence 9 Homestead Street, Waban, MA 02468

Citizenship U.S.A.

Post Office Address Same as above

Full name of inventor Qing Ge

Inventor's Signature *Q - Ge* Date 5/20/04

Residence 55 Harvey Street, Apt. 1 R, Cambridge, MA 02140

Citizenship People's Republic of China

Post Office Address Same as above



ATTORNEY'S DOCKET NUMBER: 0492611-0507 (MIT 10396)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chen, et al.
Serial Number: 10/674,087
Filed: September 29, 2003
Title: "Compositions and Methods for Delivery of Short Interfering RNA and Short Hairpin RNA"

Examiner:
Art Unit: 1644

MAIL STOP: MISSING PARTS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(37 CFR § 3.73(b))

The inventors of the above-referenced United States patent application have assigned their entire right, title, and interest in the inventions disclosed therein according to the following table:

| Inventor | Assignee |
|-----------------|---------------------------------------|
| Jianzhu Chen | Massachusetts Institute of Technology |
| Herman N. Eisen | Massachusetts Institute of Technology |
| Qing Ge | Massachusetts Institute of Technology |

Thus, the Assignee of the inventors' entire right, title, and interest are:

Massachusetts Institute of Technology

According to 37 CFR § 3.73(b), the Assignee is entitled to take action relating to the application in the Patent and Trademark Office if the Assignee establishes ownership to the satisfaction of the Commissioner.

Ownership by the assignee is established as follows:

documents already recorded in the PTO on _____.

Reel _____ Frame _____; and

documents separately submitted for recordal to the PTO (a copy of these documents are attached).

STATEMENT

I, person(s) authorized to sign on behalf of the Assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as Assignee who seeks to take further action.

| Name/Title | Assignee | Date |
|--------------------------------------|---------------------------------------|---------|
| Signature: <i>Rita M. Filipowicz</i> | Massachusetts Institute of Technology | 4/23/04 |
| Name: <u>Rita M. Filipowicz</u> | | |
| Title: <u>Patent Administrator</u> | | |

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Page 2 of 2

Attorney Docket No. 0492611-0535
(Client Reference: MIT 10602)



ATTORNEY'S DOCKET NUMBER: 0492611-0507 (MIT 10396)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chen, et al. Examiner:
Serial Number: 10/674,087 Art Unit: 1644
Filed: September 29, 2003
Title: "Compositions and Methods for Delivery of Short Interfering RNA and Short Hairpin RNA"

MAIL STOP: MISSING PARTS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPOINTMENT OF ATTORNEY

The undersigned hereby appoints:

Sam Pasternack, Reg. No. 29,576
Donald W. Muirhead, Reg. No. 33,978
Brenda Herschbach Jarrell, Reg. No. 39,223
Anne E. Saturnelli, Reg. No. 41,290
Kevin Tormey, Reg. No. 41,351
Elizabeth E. Nugent, Reg. No. 43,839
Valarie B. Rosen, Reg. No. 45,698
C. Hunter Baker, Reg. No. 46,533
Monica Gerber, Reg. No. 46,724
Elijah Cocks, Reg. No. 47,499
Nadège M. Lagneau, Reg. No. 51,908
Charles Lyon, Limited Recognition Under 37 C.F.R. §10.9(b)
Stacy Blasberg, Reg. No. 52,625
Theresa Devlin, Reg. No. 45,361
Andrea L.C. Robidoux 47,902

as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Monica R. Gerber, M.D., Ph.D., Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

Name: Rita M. Filippone
Title: Patent Administrator
On behalf of Massachusetts Institute of Technology
Dated: 4/23/04



**ATTORNEY'S DOCKET NUMBER: 0492611-0507 (MIT 10396)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Chen, et al. Examiner: _____
Serial Number: 10/674,087 Art Unit: 1644
Filed: September 29, 2003
Title: "Compositions and Methods for Delivery of Short Interfering RNA and Short Hairpin RNA"

MAIL STOP: MISSING PARTS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

WRITTEN ASSERTION OF SMALL ENTITY STATUS
UNDER 37 CFR §1.27(a)(3)
NON-PROFIT ORGANIZATION

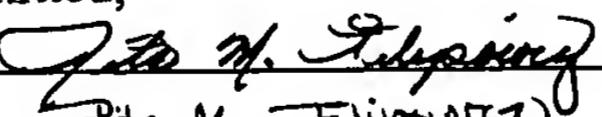
The undersigned hereby asserts entitlement to small entity status as a non-profit organization under 37 CFR §1.27(a)(3) on behalf of Massachusetts Institute of Technology.

This assertion is made on the ground that Massachusetts Institute of Technology is either:

- (a) a university or other institution of higher education located in any country;
- (b) an organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 USC §501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 USC §501(a));
- (c) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 USC §201(i)); or
- (d) any nonprofit organization, located in a foreign country, that would qualify as a nonprofit organization under paragraphs (b) or (c) above if it were located in this country,

and *has not* assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the above-referenced patent application to any party who does not qualify for small entity status either as a person, a small business concern, or a nonprofit organization under 37 CFR §1.27.

Respectfully Submitted,


Print Name: Rita M. Filipowicz
Title: Patent Administrator
On behalf of Massachusetts Institute of Technology.
Dated: 4/23/04